

PTO/SB/17 (12-04)

Approved for use through 07/31/2008. OMB 0351-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).**FEE TRANSMITTAL**  
For FY 2005☐ Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)**0.00****Complete if Known**

Application Number	09/465,530
Filing Date	12/16/1999
First Named Inventor	Nosakhare D. Omoigui
Examiner Name	SANJIV D. SHAH
Art Unit	2176
Attorney Docket No.	MS1 - 362US

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JUL 2 2005**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):☒ Deposit Account Deposit Account Number: 12-0769 Deposit Account Name: Lee & Hayes, PLLC

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

<b>Total Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>	<b>Multiple Dependent Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
- 20 or HP =	x	50	=			
HP = highest number of total claims paid for, if greater than 20						
<b>Indep. Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>			
- 3 or HP =	x	200	=			
HP = highest number of independent claims paid for, if greater than 3						

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<b>Total Sheets</b>	<b>Extra Sheets</b>	<b>Number of each additional 50 or fraction thereof</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
- 100 =	/ 50 =	(round up to a whole number) x		

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other:

**SUBMITTED BY**

Signature		Registration No. 36756 (Attorney/Agent)	Telephone (206) 315-4001
Name (Print/Type)	Frank J. Bozzo	Date	7/12/2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application Serial No. ....09/465,530  
Filing Date ..... December 16, 1999  
Inventorship..... Nosakhare D. Omoigui  
Applicant..... Microsoft Corporation  
Group Art Unit .....2176  
Examiner .....SHAH, SANJIV D.  
Attorney's Docket No. .... MS1-362US  
Title: Searching and Recording Media Streams

**PETITION TO THE DIRECTOR**

To: Commissioner for Patents  
Alexandria, VA 22313-1450

From: Frank J. Bozzo (Tel. 206-315-4001; Fax 509-323-8979)  
Lee & Hayes, PLLC  
421 W. Riverside Avenue, Suite 500  
Spokane, WA 99201

Customer No. 22801

This communication is in response to the Notice of Abandonment dated  
June 14, 2005. Applicant respectfully requests consideration of the following  
petition in response to the Notice.

**PETITION**

This petition is filed under 37 CFR § 1.181(a) entitled "Petition to the Director." Applicant received a paper from the PTO dated 06/14/2005 indicating that the subject application was deemed abandoned because the PTO had not received a reply to an Office Action dated 10/08/04. Respectfully, however, applicant did file a timely response to the Office Action as described below and is substantiated by the attached exhibits. Thus, applicant respectfully submits that this application should not have been deemed as abandoned.

Applicant hereby submits, in accordance with 37 CFR § 1.181(b), the following statement of facts and exhibits.

1. Applicant prepared and filed a timely Response to the Office Dated 10/08/04. This Response was filed on 01/27/05. The Response included 20 pages of text, plus a Petition for Extension of Time and a Fee Transmittal. The Response is attached as Exhibit A.
2. This Response was filed by facsimile using the procedures set out by the PTO. Accordingly, a Certificate of Transmission under 37 CFR 1.8 was completed on 01/27/2005 by Pam M. Prellwitz, and faxed, along with the Response, Petition for Extension of Time, and Fee Transmittal to the PTO. The Certificate of Transmission is attached as Exhibit B.

